

Market Enforcement Branch

Hot News

April 2010

LICENSE DENIALS

What A Tomato Produce Co Inc

Agent: Fred Ghanayem
2055 Jerrold Avenue
San Francisco, CA 94124
Agent's license denied on April 6, 2010

Mendez Produce

1258 W Vernon Avenue
Los Angeles, CA 90037
License denied on April 13, 2010

R Cisneros Produce

6912 Center Street
Lamont, CA 93241
License denied on April 13, 2010

IME Transportation / Gonzalez Specialties

1990 Jerrold Avenue
San Francisco, CA 94124
License denied on April 30, 2010

ADMINISTRATIVE PROCEEDINGS / LICENSE REVOCATIONS

COSENTINO SIGNATURE ENTERPRISES, LLC

7415 St. Helena Highway
Yountville, California 94599

Per a Decision issued by the Administrative Law Judge after the conclusion of an Administrative Hearing, License No. G16284 issued to Cosentino Signature Enterprises, LLC is suspended for a period of three months. The decision was approved February 4, 2010 and became effective March 1, 2010.

CA PRICE DEPOT, INC.

1189 Jellick Ave.
City of Industry, California 91770

CA Price Depot, Inc. was previously licensed under the Produce Dealers Act. A Statement of Issues was prepared to deny CA Price Depot's license renewal application for violations of the Food & Agricultural Code including the failure to provide a surety bond as the result of their Chapter 11 bankruptcy filing. The Respondent failed to provide a Notice of Defense and its license under the

Produce Dealers Act is denied effective April 15, 2010. The sole corporate officer is Jennifer Chan.

LEO L. COTELLA CO., INC.

370 Second Street
Oakland, California 94607

On January 28, 2010, respondent was served with a Statement of Issues and supporting documents to deny their license renewal application for violations of the Food & Agricultural Code. Respondent failed to file a Notice of Defense and its renewal application for license under the Produce Dealers Act was denied per a Decision and Order effective March 23, 2010. Respondent has also filed Chapter 7 bankruptcy as of March 23, 2010.

DEL SUR FRESH

7940 Dalen Street
Downey, CA 90242

On January 14, 2010, respondent was served with an Accusation and supporting documents seeking revocation of its license for repeated and flagrant violations of the Food & Agricultural Code. Respondent failed to file a Notice of Defense and its license under the Produce Dealers Act was revoked per a Decision and Order effective April 30, 2010.

SOUTH BAY PRODUCE & SPECIALTIES

1243 Romas Place
Phillips Ranch, CA 91766

On January 26, 2010, respondent was served with a Statement of Issues and supporting documents to deny their license application for violations of the Food & Agricultural Code. Respondent failed to file a Notice of Defense and its application for license under the Produce Dealers Act was denied per a Decision and Order effective April 30, 2010.

PROSECUTION UPDATES

Christopher Cisneros dba Sun Ripe Produce – Delano, CA

A criminal complaint was filed against Mr. Cisneros with the Kern County District Attorney's Office alleging that while unlicensed under the Produce Dealers Act, he purchased California grown farm product for resale. Mr. Cisneros was arrested and pled not guilty to the charges filed against him and posted bail. A hearing was set for February 11, 2010 at Delano Superior Court. At the preliminary hearing held February 10, 2010, the defendant changed his not guilty plea to Nolo Contendere to one count of operating without a license (FAC §56632), a misdemeanor, and was found guilty by the court. He was ordered to serve 30 days in jail through the work release program and make restitution in the amount of \$39,260.81 in addition to court costs.

Ignazio Robert Ugenti (Quality First Distribution, Inc.) – San Jose, CA

The Merced County District Attorney accepted a complaint against Mr. Ugenti for operating without a license under the Produce Dealers Act. Mr. Ugenti is alleged to have purchased California farm products for resale without having a dealers license in his possession. Mr. Ugenti failed to appear at his arraignment on October 20, 2009 at the Merced County Superior Court. The judge issued a bench warrant in the amount of \$25,000. The case is pending.

John Bowersox dba High Point Raisin and Nor Cal Raisin – Chowchilla, CA

A criminal complaint was filed against John Bowersox with the Madera County District Attorney's office alleging Grand Theft under the Penal Code and operating without a license under the Food and Agricultural Code. On September 29, 2009, an arrest warrant was issued against Mr. Bowersox for Grand Theft (PC 487 (b) (1) (A)), a felony; and operating without a license under the Food and Agricultural Code (56632), a misdemeanor. Mr. Bowersox was arrested on October 20, 2009 and posted bail.

At his arraignment on November 16, 2009, he pled not guilty to all charges. At a pre-trial conference March 18, 2010, a pre preliminary hearing was set for May 24th and a preliminary hearing was set for July 9th.